

Austin 4.1-1  
Appl. No. 10/804,794  
Response to Office Action dated August 18, 2005  
Amdt. dated November 16, 2005

#### **REMARKS**

Upon entry of this Amendment, Claims 1 to 24 and 26 to 80 are pending in the application. Claim 25 has been cancelled. Claim 80 is new. Claims 58 to 79 have been withdrawn from consideration. Claims 1 to 8, 10 to 24, 26 to 30, 32 to 46, and 48 to 57 have been rejected. Claims 9, 31 and 47 were indicated to be allowable if amended to overcome the objections of the Examiner. No claims have been allowed.

Applicants confirm the election of Group I, Claims 1 to 57 for prosecution in this application. The election is without traverse.

Independent Claims 1 and 15 have been amended to further define the second damping material as being positioned on each of the side arms such as to reduce vibrations in the bracket. Dependent Claim 2 has been amended to further define the third damping material as being positioned along the longitudinal axis of the forward arm to reduce vibrations in the bracket. Dependent Claim 25 has been cancelled as unnecessary. Independent Claim 27 has been amended to further define the third damping material as being positioned on the forward arm such as to reduce vibrations in the bracket.

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Independent Claim 40 has been amended to further define the second damping material as being positioned on the side arms such as to reduce vibrations in the bracket. Further, Claim 40 has been amended to further define the third damping material as being positioned on the forward arm to reduce vibrations in the bracket.

Independent Claim 57 has been amended to further define the first damping material as being positioned on the leg to reduce vibration in the bracket, to further define the second damping material as being positioned on each side arm such as to reduce vibration in the bracket and to further define the third damping material as being positioned on the forward arm so as to reduce vibrations in the bracket.

New dependent Claim 80 depends from Claim 1 and further defines the first damping material as being positioned on the legs to reduce vibrations in the bracket in a first direction and to further define the second damping material as reducing vibrations in the bracket in a second direction different from the first direction.

The elements of the bipod of the Harris reference which are cited by the Examiner as damping material are not positioned to reduce vibrations in the bracket as required by the amendments to the independent claims in the present

application. In regard to the elements of the Harris bipod which are cited as first damping material for the legs of the bipod, the foot (45) is provided as a means for limiting the collapse of the middle tube and the lower tube. The spring (54) is used to bias the first extension catch to engage notches in the middle tube to lock the extension of the middle tube with respect to the upper tube. The spring (57) retracts the middle tube. The o-ring (63) provides resistance to the rotation of the head set screw of the catch and friction lock assembly. The o-rings (68) cushion the contact between the bottom edge of the upper tube and the support ring. The spring (75) operates similarly to the spring (54) and is used to bias the extension catch of the buffer and catch assembly.

The second damping material cited for the side arms 38 and 39 is a spring (88). The spring (88) is intended to maintain the legs in the folded position and to urge the strut downward. The damping materials of the Harris reference are not positioned to reduce vibration in the bracket. The third damping material for the forward arms (34 and 35) is a pad (20) on the base which protects the finish of a firearm of a rifle when the rifle is clamped against the base.

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In the Office Action

(1) Claims 28 to 29 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claim 28 has been amended as suggested by the Examiner. Thus, this rejection is believed to be overcome.

(2) Claims 1 to 8 and 10 to 14 were rejected under 35 USC § 102(b) as being anticipated by Harris (U.S. Patent No. 4,625,620). In view of the above discussions regarding the amendment to independent Claim 1 and the Harris reference, Applicants believe that amended independent Claim 1 is neither anticipated by nor obvious to one skilled in the art over Harris. Further, dependent Claims 2 to 8 and 10 to 14, as depending from patentable base Claim 1, are also neither anticipated by nor obvious to one skilled in the art over the above cited reference. Reconsideration of this rejection is requested.

(3) Claims 15 to 25 were rejected under 35 USC § 102(b) as being anticipated by Harris (U.S. Patent No. 4,625,620). In view of the above discussions regarding the amendment to independent Claim 15 and the Harris reference, Applicants believe that amended independent Claim 15 is neither anticipated by nor obvious to one skilled in the

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art over Harris. Further, dependent Claims 16 to 24, as depending from patentable base Claim 15, are also neither anticipated by nor obvious to one skilled in the art over the above cited reference. Reconsideration of this rejection is requested.

(4) Claims 27 to 30 and 32 to 38 were rejected under 35 USC § 102(b) as being anticipated by Harris (U.S. Patent No. 4,625,620). In view of the above discussions regarding the amendment to independent Claim 27 and the Harris reference, Applicants believe that amended independent Claim 27 is neither anticipated by nor obvious to one skilled in the art over Harris. Further, dependent Claims 28 to 30 and 32 to 38, as depending from patentable base Claim 27, are also neither anticipated by nor obvious to one skilled in the art over the above cited reference. Reconsideration of this rejection is requested.

(5) Claims 40, 42 to 46, and 48 to 56 were rejected under 35 USC § 102(b) as being anticipated by Harris (U.S. Patent No. 4,625,620). In view of the above discussions regarding the amendment to independent Claim 40 and the Harris reference, Applicants believe that amended independent Claim 40 is neither anticipated by nor obvious to one skilled in the art over Harris. Further, dependent Claims 42 to 46 and 48 to 56, as depending from patentable

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base Claim 40, are also neither anticipated by nor obvious to one skilled in the art over the above cited reference. Reconsideration of this rejection is requested.

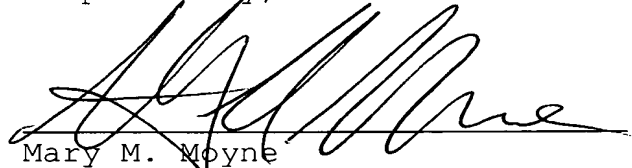
(6) Claim 57 was rejected under 35 USC § 102(b) as being anticipated by Harris (U.S. Patent No. 4,625,620). In view of the above discussions regarding the amendment to independent Claim 57 and the Harris reference, Applicants believe that amended independent Claim 57 is neither anticipated by nor obvious to one skilled in the art over Harris. Reconsideration of this rejection is requested.

(7) Claims 26, 39 and 41 were rejected under 35 USC § 103 as being unpatentable over Harris (U.S. Patent No. 4,625,620) in view of Minagawa (U.S. Patent No. 6,412,737). In view of the above discussions regarding the amendment to independent Claims 15, 27, and 40 and the Harris reference, Applicants believe that dependent Claims 26, 39 and 41, as depending from unobvious and patentable base Claims 15, 27 and 40, are unobvious to one skilled in the art and patentable over the above cited references. Furthermore, the Minagawa reference does not show or suggest positioning damping material to reduce vibrations in a bracket configured to be connected to the object. Reconsideration of this rejection is requested.

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Applicants believe that Claims 1 to 24, 26 to 57  
and 80 are now in condition for allowance. Notice of  
Allowance is requested.

Respectfully,



Mary M. Moyne  
Registration No. 35,962

McLEOD & MOYNE, P.C.  
2190 Commons Parkway  
Okemos, Michigan 48864

(517) 347-4100  
Fax: (517) 347-4103